

(9)

CF 1001-2

IN THE HIGH COURT OF JUDICATURE AT BILASPURWRIT PETITION NO. : 1188 /2007PETITIONER

A. NAGBHUSANARAO
S/o Shri. A.L.Rao Aged about 40
Years, By Occupation, Lecturer.
Govt. Model Higher Sec. School
Dantewada Distt. Dantewada
(C.G.)

-: VERSUS: -RESPONDENTS:

P.R. No. 1439/07
Presented by Shri. B. K. Sahas
dated 19/2/07

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1. **State of Chhattisgarh**
Through the Secretary,
Department of Scheduled
Tribe- Scheduled Cast and
Triable Welfare Department,
Raipur D.K.S. Bhavan,
Mantralya Raipur.(C.G.)
2. **The Collector Dantewada**
District South Bastar (C.G.)
3. **Assistant Commissioner,**
Department of Triable Welfare
Dantewada, Distt. South
Bastar (C.G.)
4. **Principal,**
Govt. Model Higher Sec. School
Dantewada Distt. Dantewada
(C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA FOR THE ISSUANCE OF THE
DIRECTION (S), OR ORDER (S).

The above named Petitioners most humbly and respectfully beg
to submit as under: -

1. PARTICULARS OF THE PETITIONERS: -

As per mentioned above in the cause title of the petition.

[Signature]



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HIGH COURT OF CHHATTISGARH AT BILASPUR
W. P. (S) No. 1188 of 2007

Petitioner : A. Nagbhusana Rao
Versus
Respondents : State of Chhattisgarh & others

Single Bench: Hon'ble Mr. Justice Satish K. Agnihotri.

Mr. Arvind Dubey, Advocate for the Petitioner.

Mr. Satish Gupta, Dy. Govt. Advocate for the respondents/State.

ORDER

(Passed on this 28th day of February, 2007)

1. The petitioner is working as Lecturer in the government school. In the course of his service as Lecturer, the petitioner has obtained B.Ed. Examination Certificate on his own expenses in the year 1991 (P/2).
2. Learned counsel appearing for the petitioner submits that the question involved, herein asto whether the teacher, who obtained B.Ed. Examination Certificate on his own expenses, is entitled to two advance increments.
3. According to learned counsel for the petitioner, the petitioner is entitled to two advance increments in view of the decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}. This Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), came to the conclusion that the teachers, who had obtained B. Ed. /B.T.I. Examination Certificate on their own

expenses, are covered by the circular dated 24.12.98 (Annexure P/7) issued by the State Government of Madhya Pradesh.

4. Learned counsel for the petitioner further submits that the facts and question of law involved in the present case are squarely covered by decision of this Court in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra)**, to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioner.
5. Accordingly, the writ petition is allowed in terms of the order passed in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra)**, subject to verification of the fact as to whether the petitioner has acquired B. Ed. Examination Certificate on his own expenses as per the circulars dated 24.12.1998 & 1.3.1999 and further whether he has been paid two advance increments or not. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge